

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 DIANE WAIR,

4 Plaintiff

5 v.

6 STEVEN ROY and SWIFT
7 TRANSPORTATION OF ARIZONA, LLC,

8 Defendants

Case No.: 2:21-cv-00450-APG-BNW

**Order Remanding Case for Lack of
Subject Matter Jurisdiction**

9 The defendants removed this action on the basis of diversity jurisdiction. However, the
10 defendants did not identify the citizenship of Swift Transportation of Arizona, LLC. *See Johnson*
11 *v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (stating that “an LLC
12 is a citizen of every state of which its owners/members are citizens”). Additionally, the
13 defendants stated, without supporting evidence, that current medical bills are \$30,560.38. The
14 defendants presented no other evidence to show the amount in controversy is satisfied.
15 Consequently, I ordered the defendants to show cause why this action should not be remanded
16 for lack of subject matter jurisdiction.

17 The defendants responded but again failed to identify the members of Swift
18 Transportation Co of AZ, LLC (which they contend is the correct name for this defendant).
19 Additionally, I remain unconvinced that the amount in controversy exceeds \$75,000.

20 I THEREFORE ORDER that this case is remanded to the state court from which it was
21 removed for all further proceedings. The clerk of the court is instructed to close this case.

22 DATED this 8th day of April, 2021.

23 

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE